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21-222  
Oct. '18

Memorandum

Relating to permits authorizing traffic  
in migratory waterfowl and their eggs  
for propagating purposes.

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The Migratory Bird Treaty Act of July 3, 1918 provides that:

"It shall be unlawful to hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time or in any manner, any migratory bird, included in the terms of the convention between the United States and Great Britain for the protection of migratory birds concluded August sixteenth, nineteen hundred and sixteen, or any part, nest, or egg of any such bird."

No migratory waterfowl or their eggs can be taken, possessed, sold, purchased, shipped, or transported for propagating purposes except as specifically permitted by Regulation 8 of the Migratory Bird Treaty Act Regulations.

Two forms of permits are provided. A permit issued pursuant to paragraph 1 of Regulation 8 will authorize a person to take a limited number of wild migratory waterfowl and their eggs solely for propagating purposes in order to form the nucleus of a breeding stock or to strengthen the strain of the birds he may now have on hand. THE WILD BIRDS SO TAKEN CANNOT BE KILLED, NOR CAN THEY BE SOLD OR TRANSPORTED EXCEPT FOR PROPAGATING PURPOSES AND THEN ONLY TO A PERSON HOLDING A FEDERAL PERMIT.

A permit issued pursuant to paragraph 2 of Regulation 8 will not authorize the taking of wild migratory waterfowl for any purpose but will authorize the permittee to possess, purchase, sell, and transport for propagating purposes wild waterfowl, their increase and eggs, lawfully taken and possessed, to possess, purchase, sell, and transport for propagating purposes migratory waterfowl lawfully possessed on July 3, 1918 and their increase and eggs; to kill birds raised in domestication and to sell and transport their carcasses for food purposes as provided in said Regulation 8.

Migratory waterfowl lawfully taken and possessed under these permits may be used and transported for ornamental, exhibition, and decoy purposes.

Forms 279 and 281 furnished by the Bureau should be used in applying for permits under paragraphs 1 and 2, respectively.

Federal permits do not authorize migratory birds to be taken, possessed, or trafficked in contrary to state laws, and all persons are cautioned to comply with the provisions of state laws before operating under Federal permits.

For further information in regard to Federal game laws apply to Biological Survey, U.S. Department of Agriculture, Washington, D. C.

1911-12

1912-13

1913-14

1914-15

1915-16

1916-17

1917-18

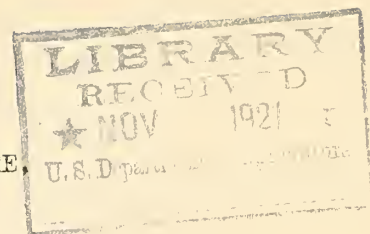
1918-19

1919-20

Bi-298 (Rev.)  
Nov. 1920.

UNITED STATES DEPARTMENT OF AGRICULTURE,  
Bureau of Biological Survey.

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MEMORANDUM RELATING TO PERMITS AUTHORIZING TRAFFIC IN MIGRATORY WATERFOWL AND  
THEIR NESTS AND EGGS FOR PROPAGATING PURPOSES.

The Migratory Bird Treaty Act of July 3, 1918, provides that:

"It shall be unlawful to hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry or cause to be carried by any means whatever; receive for shipment, transportation or carriage, or export, at any time or in any manner, any migratory bird included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August sixteenth, nineteen hundred and sixteen, or any part, nest, or egg of any such bird."

No migratory waterfowl or their eggs may be taken, possessed, sold, purchased, shipped, or transported for propagating purposes except as specifically permitted by Regulation 8 of the Migratory Bird Treaty Act Regulations. This includes migratory waterfowl held by any person on July 3, 1918.

Two forms of propagating permits are issued under Regulation 8, the first, under paragraph 1, known as the "Taking for Propagation", and the other under paragraph 2, known as the "Possession and Sale" permit.

PERMIT TO TAKE FOR PROPAGATION.

A permit issued pursuant to paragraph 1 of Regulation 8 should be applied for on Form Bi-279, and will authorize a person to take a limited number of wild migratory waterfowl and their eggs, and to traffic in such birds and eggs, and in other migratory waterfowl and their eggs, solely for propagating purposes. THE WILD BIRDS SO TAKEN MAY NOT BE KILLED, NOR MAY THEY BE SOLD OR TRANSPORTED EXCEPT FOR PROPAGATING PURPOSES, AND THEN ONLY TO A PERSON HOLDING A FEDERAL PERMIT. This permit will not authorize any migratory waterfowl to be killed and trafficked in for food purposes.



POSSESSION AND SALE PERMIT.

A permit issued pursuant to paragraph 2 of Regulation 8, should be applied for on Form Bi-281, and will authorize the permittee to possess, purchase, sell and transport for propagating purposes migratory waterfowl and their increase and eggs lawfully taken and possessed, and to kill birds raised in domestication and to sell and transport their carcasses for food purposes, as provided in said Regulation 8. This permit does not authorize the taking of wild migratory waterfowl for any purpose.

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Migratory waterfowl lawfully taken and possessed under the above permits may be used and transported for ornamental, exhibition and decoy purposes.

Neither of these Federal permits authorizes migratory waterfowl to be taken, possessed, or trafficked in contrary to State laws, and all persons are cautioned to comply with the provisions of State laws before operating under Federal permits.

Reports of operations under these permits must be furnished during the month of January next following their issuance, as required by paragraph 5 of Regulation 8.

For further information in regard to Federal game laws apply to the Bureau of Biological Survey, U. S. Department of Agriculture, Washington, D. C.







UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF BIOLOGICAL SURVEY.

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MEMORANDUM RELATING TO PERMITS AUTHORIZING THE TAKING AND TRAFFICKING IN  
MIGRATORY WATERFOWL AND THEIR EGGS FOR PROPAGATING PURPOSES.

The Migratory Bird Treaty Act of July 3, 1913, provides that:

"It shall be unlawful to hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry or cause to be carried by any means whatever, receive for shipment, transportation, or carriage, or export, at any time or in any manner, any migratory bird included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August sixteenth, nineteen hundred and sixteen, or any part, nest, or egg of any such bird."

No migratory waterfowl or their eggs may be taken, possessed, sold, purchased, shipped, or transported for propagating purposes except as specifically permitted by Regulation 8 of the Migratory Bird Treaty Act Regulations. This includes migratory waterfowl held by any person on July 3, 1913.

Two forms of propagating permits are issued under Regulation 8, the first under paragraph 1, known as the "Taking for Propagation" permit, and the other under paragraph 2, known as the "Possession and Sale" permit.

PERMIT TO TAKE FOR PROPAGATION

A permit issued pursuant to paragraph 1 of Regulation 8, should be applied for on Form Bi-279, and will authorize a person to take for propagating purposes, during the period named in the permit, the migratory waterfowl or eggs specified therein. Waterfowl taken under this permit can not be killed for food purposes, nor may they be sold or trafficked in except under a possession and sale permit for propagating purposes.

POSSESSION AND SALE PERMIT

A permit issued pursuant to paragraph 2 of Regulation 8 should be applied for on Form Bi-281, and will authorize the permittee to possess, purchase, sell, and transport for propagating purposes migratory waterfowl and their increase and eggs lawfully taken and possessed, and to kill waterfowl

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raised in captivity and to sell and transport their carcasses for food purposes, as provided in said Regulation 8. This permit does not authorize the taking of wild migratory waterfowl for any purpose.

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Migratory waterfowl lawfully taken and possessed under the above permits may be used and transported for ornamental, exhibition, and decoy purposes.

Neither of these Federal permits authorizes migratory waterfowl to be taken, possessed, or trafficked in contrary to State laws, and all persons are cautioned to comply with the provisions of State laws before operating under Federal permits.

Reports of operations under the permits must be rendered promptly. Reports under the taking permits must be submitted within ten days after expiration of the permit, and reports under the possession and sale permits during the month of January of each year.

Permits are not required for the possession and transportation of migratory waterfowl legally acquired, where a person desires to possess and transport them merely for his own use, but waterfowl may not be purchased or sold without a permit.

For further information in regard to Federal game laws apply to the Bureau of Biological Survey, U. S. Department of Agriculture, Washington, D.C.